#### VIRGINIA:

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#### BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANT:	CNX GAS COMPANY LLC	) VIRGINIA GAS
		) AND OIL BOARD
RELIEF SOUGHT:	POOLING OF INTERESTS IN	)
	DRILLING UNIT NO. BH-114 LOCATED	•
	IN THE MIDDLE RIDGE I COALBED	) 13-0917-4020
	METHANE GAS FIELD PURSUANT TO VA.	)
	CODE §§ 45.1-361.21 AND 45.1-361.22,	. )
	FOR THE PRODUCTION OF OCCLUDED	)
	NATURAL GAS PRODUCED FROM COALBEDS	•
	AND ROCK STRATA ASSOCIATED THEREWITH	• •
	(herein collectively referred to as	)
	"Coalbed Methane Gas" or "Gas")	}
	<b>.</b>	)
LEGAL DESCRIPTION	(;	) \
DETTIME TW	IT NUMBER BH-114	,
	bject Drilling Unit") IN THE	\
· ·	E I COALBED METHANE GAS FIELD	)
	MAGISTERIAL DISTRICT	1
HONAKER QUA		, }
	INTY, VIRGINIA	)
	ect Lands" are more	ì
•	y described on Exhibit	,
-	ned hereto and made a	)
part hereof		ì
<u></u>	•	

#### REPORT OF THE BOARD

#### FINDINGS AND ORDER

- 1. Hearing Date and Place: This came for final hearing before the Virginia Gas and Oil board (hereafter "Board") at 9:00 a.m. on October 22, 2013 at the at the Russell County Conference Center, Lebanon, Virginia.
- 2. <u>Appearances:</u> Mark Swartz, Esquire, of the firm Swartz Law Offices PLLC, appeared for the Applicant; and Sharon M. B. Pigeon, Assistant Attorney General, was present to advise the Board.
- 3. Jurisdiction and Notice: Pursuant to Va. Code §§ 45.1-361.1 et seq., the Board finds that it has jurisdiction over the subject matter. Based upon the evidence presented by Applicant, the Board also finds that the Applicant has (1) exercised due diligence in conducting a search of the reasonably available sources to determine the identity and whereabouts of gas and oil owners, coal owners, mineral owners and/or potential owners, i.e., persons identified by Applicant as having ("Owner") or claiming ("Claimant") the rights to Coalbed Methane Gas in all coal seams below the Jawbone 1, including Tiller, Upper Horsepen, Middle Horsepen, War Creek, Beckley, Lower Horsepen, Pocahontas No. 8, Pocahontas No. 6, Pocahontas No. 5, Pocahontas No. 4, Pocahontas No. 3, Pocahontas No. 1 and various unnamed coal seams, coalbeds and rock strata associated therewith (hereafter "Subject Formation") in Subject Drilling Unit underlying and

comprised of Subject Lands; (2) represented it has given notice to those parties (hereafter sometimes "person(s)" whether referring to individuals, corporations, partnerships, associations, companies, businesses, trusts, joint ventures or other legal entities) entitled by Va. Code \$\$ 45.1-361.19 and 45.1-361.22, to notice of the Application filed herein; and (3) that the persons set forth in their Application and Notice of Hearing are persons identified by Applicant through its due diligence who may be Owners or Claimants of Coalbed Methane Gas interests underlying Subject Drilling Unit and that the persons identified in **Exhibit B-3** attached hereto are persons identified by Applicant who may be Owners or Claimants of Coalbed Methane Gas interests in Subject Formation who have not heretofore agreed to lease or sell to the Applicant and/or voluntarily pool their Gas interests. Conflicting Gas Owners/Claimants in Subject Drilling Unit are listed on Exhibit E. Further, the Board has caused notice of this hearing to be published as required by Va. Code § 45.1-361.19.B. Whereupon, the Board hereby finds that the notices given herein satisfy all statutory requirements, Board rule requirements and the minimum standards of due process.

- 4. Amendments: None
- Dismissals: None
- Va. Code § 45.1-361.22, including the applicable portions of Va. Code § 45.1-361.21, the Board pool all the rights, interests and estates in and to the Gas in Subject Drilling Unit, including the pooling of the Interests of the Applicant and of the known and unknown persons named in Exhibit B-3 hereto and that of their known and unknown heirs, executors, administrators, devisees, trustees, assigns and successors, both immediate and remote, for the drilling and operation, including production, of Coalbed Methane Gas, produced from or allocated to the Subject Drilling Unit established for the Subject Formation underlying and comprised of the Subject Lands, (hereafter sometimes collectively identified and referred to as "Well Development and/or Operation in the Subject Drilling Unit"), and (2) that the Board designate CNX Gas Company LLC as Unit Operator.
- Relief Granted: The Applicant's requested relief in this cause be and hereby is granted: (1) Pursuant to Va. Code § 45.1-361.21.C.3, CNX Gas Company LLC (hereafter "Unit Operator") designated as the Unit Operator authorized to drill and operate the Coalbed Methane Gas well in the Subject Drilling Unit at the location depicted on the plat attached hereto as Exhibit A, subject to the permit provisions contained in Va. Code §§ 45.1-361.27 et seq.; to the Middle Ridge I Coalbed Methane Gas Field Order VGOB 00-1017-0835, effective October 17, 2000; to §§ 4 VAC 25-150 et seq., Gas and Oil Regulations; and to §§ 4 VAC 25-160 et seq., Virginia Gas and Oil Board Regulations, all as amended from time to time, and (2) all the interests and estates in and to the Gas in Subject Drilling Unit, including that of the Applicant and of the known and unknown persons listed on Exhibit B-3, attached hereto and made a part hereof, and their known and unknown heirs, executors, administrators, devisees, trustees, assigns and successors, both immediate and remote, be and hereby are pooled in the Subject Formation in the Subject Drilling Unit

underlying and comprised of the Subject Lands.

Pursuant to the Middle Ridge I Field Rules, the Board has adopted the following method for the calculation of production and revenue and allocation of allowable costs for the production of Coalbed Methane Gas.

For Frac Well Gas. - Gas shall be produced from and allocated to only the 58.74-acre drilling unit in which the well is located according to the undivided interests of each Owner/Claimant within the unit, which undivided interest shall be the ratio (expressed as a percentage) that the amount of mineral acreage within each separate tract that is within the Subject Drilling Unit, when platted on the surface, bears to the total mineral acreage, when platted on the surface, contained within the entire 58.74-acre drilling unit in the manner set forth in the Middle Ridge I Field Rules.

8. Election and Election Period: In the event any Owner or Claimant named in Exhibit B-3 hereto does not reach a voluntary agreement to share in the operation of the well located in the Subject Drilling Unit, at a rate of payment mutually agreed to by said Gas Owner or Claimant and the Unit Operator, then such person named may elect one of the options set forth in Paragraph 9 below and must give written notice of his election of the option selected under Paragraph 9 to the designated Unit Operator at the address shown below within thirty (30) days from the date of receipt of a copy of this Order. A timely election shall be deemed to have been made if, on or before the last day of said 30-day period, such electing person has delivered his written election to the designated Unit Operator at the address shown below or has duly postmarked and placed its written election in first class United States mail, postage prepaid, addressed to the Unit Operator at the address shown below.

#### 9. <u>Election Options</u>:

9.1 Option 1 - To Participate In The Well Development and Operation of the Drilling Unit: Any Gas Owner or Claimant named in Exhibit B-3 who does not reach a voluntary agreement with the Unit Operator may elect to participate in the Well Development and Operation in the Subject Drilling Unit (hereafter "Participating Operator") by agreeing to pay the estimate of such Participating Operator's proportionate part of the actual and reasonable costs of the Well Development contemplated by this Order for Gas produced pursuant to the Middle Ridge I Field Rules, including a reasonable supervision fee, as more particularly set forth in Virginia Gas and Oil Board Regulation 4 VAC 25-160-100 (herein "Completed-for-Production Costs"). Further, a Participating Operator agrees to pay the estimate of such Participating Operator's proportionate part of the Completed-for-Production Cost as set forth below to the Unit Operator within forty-five (45) days from the later of the date of mailing or the date of recording of this Order. The Completed-for-Production Cost for the Subject Drilling Unit is as follows:

Completed-for-Production Cost: BH114 \$287,001.00

BH114A \$351,534.00 Total \$638,535.00

Any gas owner and/or claimants named in Exhibit B-3, who elect this option (Option 1) understand and agree that their initial payment under this option is for their proportionate share of the Applicant's estimate of actual costs and expenses. It is also understood by all persons electing this option that they are agreeing to pay their proportionate share of the actual costs and expenses as determined by the Operator named in this Board Order.

A Participating Operator's proportionate cost hereunder shall be the result obtained by multiplying the Participating Operators' "Interest in Unit" times the Completed-for-Production Cost set forth above. Provided, however, that in the event a Participating Operator elects to participate and fails or refuses to pay the estimate of his proportionate part of the Completed-for-Production Cost as set forth above, all within the time set forth herein and in the manner prescribed in Paragraph 8 of this Order, then such Participating Operator shall be deemed to have elected not to participate and to have elected compensation in lieu of participation pursuant to Paragraph 9.2 herein.

9.2 Option 2 - To Receive A Cash Bonus Consideration: In lieu of participating in the Well Development and Operation in Subject Drilling Unit under Paragraph 9.1 above, any Gas Owner or Claimant named in Exhibit B-3 hereto who does not reach a voluntary agreement with the Unit Operator may elect to accept a cash bonus consideration of \$5.00 per net mineral acre owned by such person, commencing upon entry of this Order and continuing annually until commencement of production from Subject Drilling Unit, and thereafter a royalty of 1/8th of 8/8ths [twelve and onehalf percent (12.5%)] of the net proceeds received by the Unit Operator for the sale of the Coalbed Methane Gas produced from any Well Development and Operation covered by this Order multiplied by that person's Interest in Unit or proportional share of said production [for purposes of this Order, net proceeds shall be actual proceeds received less post-production costs incurred downstream of the wellhead, including, but not limited to, gathering, compression, treating, transportation and marketing costs, whether performed by Unit Operator or a third person] as fair, reasonable and equitable compensation to be paid to said Gas Owner or Claimant. The initial cash bonus shall become due and owing when so elected and shall be tendered, paid or escrowed within one hundred twenty (120) days of recording of this Order. Thereafter, annual cash bonuses, if any, shall become due and owing on each anniversary of the date of recording of this order in the event production from Subject Drilling Unit has not theretofore commenced, and once due, shall be tendered, paid or escrowed within sixty (60) days of said anniversary date. Once the initial cash bonus and the annual cash bonuses, if any, are so paid

or escrowed, subject to a final legal determination of ownership, said payment(s) shall be satisfaction in full for the right, interests, and claims of such electing person in and to the Gas produced from Subject Formation in the Subject Lands, except, however, for the 1/8th royalties due hereunder.

Subject to a final legal determination of ownership, the election made under this Paragraph 9.2, when so made, shall be satisfaction in full for the right, interests, and claims of such electing person in any Well Development and Operation covered hereby and such electing person shall be deemed to and hereby does lease and assign, its right, interests, and claims in and to the Gas produced from Subject Formation in the Subject Drilling Unit to the Applicant.

9.3. Option 3 - To Share In The Well Development And Operation As A Non-Participating Person On A Carried Basis And To Receive Consideration In Lieu Of Cash: In lieu of participating in the Well Development and Operation in Subject Drilling Unit under Paragraph 9.1 above and in lieu of receiving a Cash Bonus Consideration under Paragraph 9.2 above, any Gas Owner or Claimant named in Exhibit B-3 hereto who does not reach a voluntary agreement with the Unit Operator may elect to share in the Well Development and Operation of Subject Drilling Unit on a carried basis (as a "Carried Well Operator"] so that the proportionate part of the Completed-for-Production Cost hereby allocable to such Carried Well Operator's interest is charged against such Carried Well Operator's share of production from Subject Drilling Unit. Such Carried Well Operator's rights, interests, and claims in and to the Gas in Subject Drilling Unit shall be deemed and hereby are assigned to the Applicant until the proceeds from the sale of such Carried Well Operator's share of production from Subject Drilling Unit (exclusive of any royalty, excess or overriding royalty, or other non-operating or non costbearing burden reserved in any lease, assignment thereof or agreement relating thereto covering such interest) equals three hundred percent (300%) for a leased interest or two hundred percent (200%) for an unleased interest (whichever is applicable) of such Carried Well Operator's share of the Completed-for-Production Cost allocable to the interest of such Carried Well Operator. When the Applicant recoups and recovers from such Carried Well Operator's assigned interest the amounts provided for above, then, the assigned interest of such Carried Well Operator shall automatically revert back to such Carried Well Operator, and from and after such reversion, such Carried Well Operator shall be treated as if it had participated initially under Paragraph 9.1 above; and thereafter, such participating person shall be charged with and shall pay his proportionate part of all further costs of such Well Development and Operation.

Subject to a final legal determination of ownership, the election made under this Paragraph 9.3, when so made, shall

be satisfaction in full for the rights, interests, and claims of such electing person in any Well Development and Operation covered hereby and such electing person shall be deemed to have and hereby does assign its rights, interests, and claims in and to the Gas produced from Subject Formation in the Subject Drilling Unit to the Applicant for the period of time during which its interest is carried as above provided prior to its reversion back to such electing person.

- Failure to Properly Elect: In the event a person named in Exhibit B-3 hereto does not reach a voluntary agreement with the Unit Operator and fails to elect within the time, in the manner and in accordance with the terms of this Order, one of the alternatives set forth in Paragraph 9 above for which his interest qualifies, then such person shall be deemed to have elected not to participate in the proposed Well Development and Operation in Subject Drilling Unit and shall be deemed, subject to a final legal determination of ownership, to have elected to accept as satisfaction in full for such person's right, interests, and claims in and to the Gas the consideration provided in Paragraph 9.2 above for which its interest qualifies and shall be deemed to have leased and/or assigned his right, interests, and claims in and to the Gas produced from Subject Formation in the Subject Drilling Unit to the Applicant. Persons who fail to properly elect shall be deemed, subject to a final legal determination of ownership, to have accepted the compensation and terms set forth herein at Paragraph 9.2 in satisfaction in full for the right, interests, and claims of such person in and to the Gas produced from the Subject Formation underlying Subject Lands.
- Default By Participating Person: In the event a person named in Exhibit B-3 elects to participate under Paragraph 9.1, but fails or refuses to pay, to secure the payment or to make an arrangement with the Unit Operator for the payment of such person's proportionate part of the Completed-for-Production Cost as set forth herein, all within the time and in the manner as prescribed in this Order, then such person shall be deemed to have withdrawn his election to participate and shall be deemed to have elected to accept as satisfaction in full for such person's right, interest, and claims in and to the Gas the consideration provided in Paragraph 9.2 above for which his interest qualifies depending on the excess burdens attached to such interest. Whereupon, any cash bonus consideration due as a result of such deemed election shall be tendered, paid or escrowed by Unit Operator within one hundred twenty (120) days after the last day on which such defaulting person under this Order should have paid his proportionate part of such cost or should have made satisfactory arrangements for the payment thereof. When such cash bonus consideration is paid or escrowed, it shall be satisfaction in full for the right, interests, and claims of such person in and to the Gas underlying Subject Drilling Unit in the Subject Lands covered hereby, except, however, for any royalties which would become due pursuant to Paragraph 9.2 hereof.
- 12. Assignment of Interest: In the event a person named in **Exhibit B-3** is unable to reach a voluntary agreement to share in the Well Development and Operation contemplated by this Order at a rate of payment agreed to mutually by said Owner or Claimant and the Unit

Operator, or fails to make an election under Paragraph 9.1 above, then subject to a final legal determination of ownership, such person shall be deemed to have and shall have assigned unto Applicant such person's right, interests, and claims in and to said well, and other share in production to which such person may be entitled by reason of any election or deemed election hereunder in accordance with the provisions of this Order governing said election.

13. Unit Operator (or Operator): CNX Gas Company LLC shall be and hereby is designated as Unit Operator authorized to drill and operate the Coalbed Methane Well in Subject Formation in Subject Drilling Unit, all subject to the permit provisions contained in Va. Code §\$ 45.1-361.27 et seq.; §\$ 4 VAC 25-150 et seq., Gas and Oil Regulations; §\$ 4 VAC 25-160 et seq., Virginia Gas and Oil Board Regulations; the Middle Ridge I Coalbed Gas Field Order VGOB 00-1017-0835, all as amended from time to time, and all elections required by this Order shall be communicated to Unit Operator in writing at the address shown below:

CNX Gas Company LLC 2481 John Nash Blvd. Bluefield, WV 24701 Attn: Anita D. Duty

- 14. Commencement of Operations: Unit Operator shall commence or cause to commence operations for the drilling of the well(s) within the Subject Drilling Unit and/or the well(s) outside the Subject Drilling Unit but from which production is allocated to the Subject Drilling Unit within Seven Hundred and Thirty (730) days from the date of the Order and shall prosecute same with due diligence. If Unit Operator shall not have so commenced and/or prosecuted, then this Order shall terminate, except for any cash sums then payable hereunder; otherwise, unless sooner terminated by Order of the Board, this Order shall expire at 12:00 P.M. on the date on which all wells covered by the Order and/or all wells from which production is allocated to the Subject Drilling Unit are permanently abandoned and plugged. However, in the event an appeal is taken from this Order, then the time between the filing of the petition for appeal and the final Order of the Circuit Court shall be excluded in calculating the two-year period referred to herein.
- 15. Operator's Lien: Unit Operator, in addition to the other rights afforded hereunder, shall have a lien and a right of set off on the Gas estates, rights, and interests owned by any person subject hereto who elects to participate under Paragraph 9.1 in the Subject Drilling Unit to the extent that costs incurred in the drilling or operation on the Subject Drilling Unit are chargeable against such person's interest. Such liens and right of set off shall be separable as to each separate person and shall remain liens until the Unit Operator drilling or operating any well covered hereby has been paid the full amounts due under the terms of this Order.

#### 16. Escrow Provisions:

The Applicant represented to the Board that there are unknown or unlocatable claimants in **Tract(s)** 2 of the Subject Drilling Unit whose payments are subject to the provisions of Paragraph 16.1 and the Unit Operator has represented to the Board that there are no

conflicting claimants in the Subject Drilling Unit whose payments are subject to the provisions of Paragraph 16.2 hereof. Therefore, by this Order, the Escrow Agent named herein or any successor named by the Board, is required to establish an interest-bearing escrow account for Tract(s) 2 of Subject Drilling Unit (herein "Escrow Account"), and to receive and account to the Board pursuant to its agreement for the escrowed funds hereafter described in Paragraphs 16.1 and 16.2:

#### First Bank & Trust Company 38 E. Valley Drive Bristol, VA 24201 Attn: Debbie Davis

- 16.1. Escrow Provisions For Unknown or Unlocatable Persons: any payment of bonus, royalty payment or other payment due and owing under this Order cannot be made because the person entitled thereto cannot be located or is unknown, then such cash bonus, royalty payment, or other payment shall not be commingled with any funds of the Unit Operator and, pursuant to Va. Code § 45.1-361.21.D, said sums shall be deposited by the Unit Operator into the Escrow Account, commencing within one hundred twenty (120) days of recording of this Order, and continuing thereafter on a monthly basis with each deposit to be made, by use of a report format approved by the Inspector, by a date which is no later than sixty (60) days after the last day of the month being reported and/or for which funds are being deposited. Such funds shall be held for the exclusive use of, and sole benefit of the person entitled thereto until such funds can be paid to such person(s) or until the Escrow Agent relinquishes such funds as required by law or pursuant to Order of the Board in accordance with Va. Code \$ 45.1-361.21.D.
- 16.2 Escrow Provisions For Conflicting Claimants: payment of bonus, royalty payment, proceeds in excess of ongoing operational expenses, or other payment due and owing under this Order cannot be made because the person entitled thereto cannot be made certain due to conflicting claims of ownership and/or a defect or cloud on the title, then such cash bonus, royalty payment, proceeds in excess of ongoing operational expenses, or other payment, together with Participating Operator's Proportionate Costs paid to Unit Operator pursuant to Paragraph 9.1 hereof, if any, (1) shall not be commingled with any funds of the Unit Operator; and (2) shall, pursuant to Va. Code §§ 45.1-361.22.A.2, 45.1-361.22.A.3 and 45.1-361.22.A.4, be deposited by the Operator into the Escrow Account within one hundred twenty (120) days of recording of this Order, and continuing thereafter on a monthly basis with each deposit to be made by a date which is no later than sixty (60) days after the last day of the month being reported and/or for which funds are subject to deposit. Such funds shall be held for the exclusive use of, and sole benefit of, the person entitled thereto until such funds can be paid to such person(s) or until the Escrow Agent

relinquishes such funds as required by law or pursuant to Order of the Board.

- 17. Special Findings: The Board specifically and specially finds:
  - 17.1. CNX Gas Company LLC, a Virginia limited liability company is duly authorized and qualified to transact business in the Commonwealth of Virginia;
  - 17.2. CNX Gas Company LLC has the authority to explore, develop and maintain the properties and assets now owned or hereafter acquired, consented to serve as Coalbed Methane Gas Unit Operator for Subject Drilling Unit and to faithfully discharge the duties imposed upon it as Unit Operator by statute and regulations;
  - 17.3. CNX Gas Company LLC is an operator in the Commonwealth of Virginia, and has satisfied the Board's requirements for operations in Virginia;
  - 17.4 CNX Gas Company LLC claims ownership of gas leases, Coalbed Methane Gas leases, and/or coal leases representing 98.4828 percent of the oil and gas interest/claims in and to Coalbed Methane Gas and 98.4828 percent of the coal interest/claims in and to Coalbed Methane Gas in Subject Drilling Unit; and, Applicant claims the right to explore for, develop and produce Coalbed Methane Gas from Subject Formations in Subject Drilling Unit in Russell County, Virginia, which Subject Lands are more particularly described in Exhibit A;
  - 17.5. The estimated total production from Subject Drilling Unit is 125 MMCF to 550 MMCF. The estimated amount of reserves from the Subject Drilling Unit is 125 MMCF to 550 MMCF;
  - 17.6. Set forth in **Exhibit B-3**, is the name and last known address of each Owner or Claimant identified by the Applicant as having or claiming an interest in the Coalbed Methane Gas in Subject Formation in Subject Drilling Unit underlying and comprised of Subject Lands, who has not, in writing, leased to the Applicant or the Unit Operator or agreed to voluntarily pool his interests in Subject Drilling Unit for its development. The interests of the Respondents listed in **Exhibit B-3** comprise 1.5172 percent of the oil and gas interests/claims in and to Coalbed Methane Gas and 1.5172 percent of the coal interests/claims in and to Coalbed Methane Gas in Subject Drilling Unit;
  - 17.7. Applicant's evidence established that the fair, reasonable and equitable compensation to be paid to any person in lieu of the right to participate in the Wells are those options provided in Paragraph 9 above;
  - 17.8. The relief requested and granted is just and reasonable, is supported by substantial evidence and will afford each person listed and named in **Exhibit B-3** hereto the opportunity to recover or receive, without unnecessary expense, such person's

just and fair share of the production from Subject Drilling Unit. The granting of the Application and relief requested therein will ensure to the extent possible the greatest ultimate recovery of Coalbed Methane Gas, prevent or assist in preventing the various types of waste prohibited by statute and protect or assist in protecting the correlative rights of all persons in the subject common sources of supply in the Subject Lands. Therefore, the Board is entering an Order granting the relief herein set forth.

- 18. Mailing Of Order And Filing Of Affidavit: Applicant or its Attorney shall file an affidavit with the Secretary of the Board within sixty (60) days after the date of recording of this Order stating that a true and correct copy of said Order was mailed within seven (7) days from the date of its receipt by Unit Operator to each Respondent named in Exhibit B-3 pooled by this Order and whose address is known.
- 19. Availability of Unit Records: The Director shall provide all persons not subject to a lease with reasonable access to all records for Subject Drilling Unit which are submitted by the Unit Operator to said Director and/or his Inspector(s).
- 20. <u>Conclusion</u>: Therefore, the requested relief and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.
- 21. Appeals: Appeals of this Order are governed by the provisions of Va. Code Ann. § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court.
- 22. Effective Date: This Order shall be effective as of the date of the Board's approval of this Application, which is set forth at Paragraph 1 above.

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OMMON ...

DONE AND EXECUTED this 7 day of November, 2013 by a majority of the Virginia Gas and Oil

Chairman, Bradley C. Lambert

**COMMONWEALTH OF VIRGINIA COUNTY OF RUSSELL** 

Acknowledged on this  $2^{\frac{1}{10}}$  day of  $\frac{2013}{100}$ , personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is the Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

Diane J. Davis Notary Public

174394

My Commission expires: September 30, 2017

\* William Oil DONE AND PERFORMED this 8 day of November, 2013 by Order of the Virginia Gas and Oil Board.

Rick Cooper

Principal Executive to the staff, Virginia Gas and Oil Board

Rick Cooper

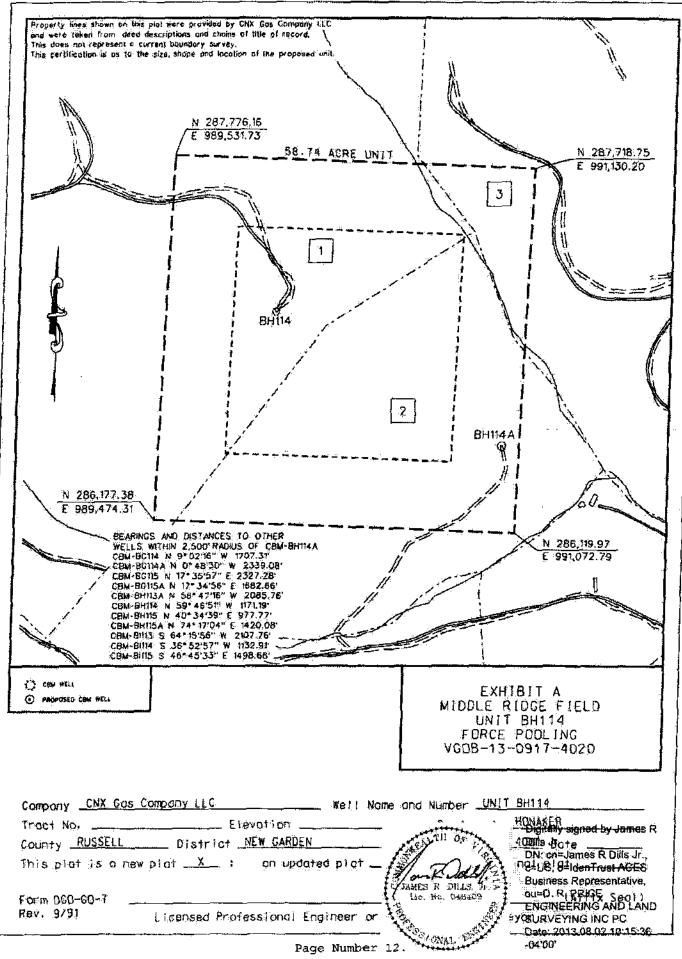
COMMONWEALTH OF VIRGINIA **COUNTY OF RUSSELL** 

Acknowledged on this 8 day of 10, , 2013 personally before me a notary public in and for the Commonwealth of Virginia, appeared Rick Cooper, being duly sworn did depose and say that he is the Principal Executive to the staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

Diane J. Davis, Notary Public

174394

My Commission expires: September 30, 2017



### CNX Gas Company LLC Unit BH 114

Tract Identifications (58.74 Acre Unit)

- Buckhorn Coal Company Tr. 19 (54 Acre Moses Miller Tract) Fee Knox Creek Coal Company - Coal In Tiller Seam and Above Leased Reserve Coal Properties Company - Below Drainage Coal Leased CNX Gas Company LLC- Oil, Gas and CBM Leased 26.66 Acres 45.3864%
- 2. Letha F. Vandyke, et al (199.00 Acre Tract) All Minerals
  Harold Keen Coal Company All Coal Leased
  CNX Gas Company LLC Oil, Gas and CBM Leased (97.5694%)
  Claude Hart Surface
  28.00 Acres 47.6677%
- Buckhorn Coal Company Tr. 18 (250.00 Acre Warder #13 Tract) Fee Knox Creek Coal Company – Above Drainage Coal Leased Reserve Coal Properties Company – Below Drainage Coal Leased CNX Gas Company LLC – Oil, Gas and CBM Leased 4.08 Acres 6.9459%

<sup>&</sup>quot;This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coal bed methane ownership and should not be relied upon for such purpose."

#### Exhibit B Unit 6H-114 VGOB# 13-0917-4020 List of all Owners/Claimants (68.74 Agre Unit)

		Acres in Unit	interest in Unit
ı,	COAL OWNERSHIP		
	Tract #1, 26.66 acres		100,0000%
	(1) Buckhom Coal Company, 77.19 (54 Acre Moses Miller Tract) P.O. Box 187 Tazewell, VA. 24651	26.66 acres	45.3964%
	Tract #2, 28.00 acres		
	(1) Lethe F. Vendyke, et al. (199.00 Acre Tract)	.28.80 acres	47.6077%
	(a) Robert Vandyke Heirs, Devisees, Succ	cessors or Assigns	
	(a.1) Letha F. Vandyka Box 864 Lebanon, VA 24266	4.41 pores 17/108 of 28.00 ecres	7.5032%
	(a.2) Genava Crabtree 16500 Chantilly Way Abingdon, VA 24210	4.41 acres 17/108 of 28:00 acres	7',5032%
	(a.3) Mildred Jones 2203 Hays Street Fredericksburg, VA 22401	4.41 acres 17/108 of 28.88 acres	7.5032%
	(a.4) Bobbie Quirm 5940 East River Road Tuscon, AZ 85715	4.41 acres 17/108 of 28.00 acres	7.5032%
	(a.5) W.R. Vandyke 15500 Chamiliy Way Abingdon, VA 24210	4.41 acres 17/108 of 28.00 acres	7.5032%
	(a.6) Mary Tharp 56 Wellington Colony Dr. Little Rock, AR 72211	4.41 acres 17/108 of 28.00 screa	7,5032%
	(b) C.W. Worley Heirs, Devisees, Successi	ore or Assigns	
	(b.1) Elizabeth Worley - Life Estate ext	inguished at death	
	(5.2) W.8. Worley	Conveyed interest to Charles T. & ,	Anu Worley (DB116/383)
	(b.3) Ella Green	Conveyed interest to Charles T. &.	Ann Worley (DB116/383)
	(b.4). BueltT, Worley	Conveyed interest to Charles T. &	Ann Worley (DE118/384)
	(b.5) Arch 8. Worley	Conveyed interest to Charles T. &	Ann Worley (DB116/386)
	(b.6) Clyde H. Worley	Conveyed interest to Charles T. &:	Ann Worley (88116/386)
	Charles T. Worley & Ann Worley	Conveyed 1/2 of their 1/36 interest	to Elizabeth Wadey
	(c) K.R. Thomas Heirs, Devisees, Succession	ors or Assigns	
	(c.1) Nancy Smith Thomas - Life Estate	extinguished at death	
	(c.2) Peggy Bausell Neirs, Devisees, St	coessors or Assigns	
	(c.2.1) Kemper Bausell PO Box 169 Grundy, VA :24614	0.26 agres 1/108 of 28.00 agres	0.441.4%
	(c:2:2) Eizabeth Bausell Ryan 402 Blüe Heron Polint Suffolk, VA 234:35	9.26 acres 1/108 of 28.00 acres	0.4414%

#### Exhibit B Unit BH-114 VGOB# 13-0917-4020 List of all Owners/Claimants (SS.74-Acta Unit)

	Acres in Unit	interest (ri Limit
(c.2.3) Jill Bausell Norrie. 4245 Dayle Acres Rd. Suffolk, VA 23435	0.26 acres 1/108 of 28:00 acres	0.4414%
(d) Charles T. Worley & Ann Worley	Conveyed 1/2 of 1/36th interest t	to Elizabeth Worley
(d.1) Charles T. Worley Heirs, Devisees, Suc	cressors of Assigns	
(d.f.1) Ann Worley Heirs, Devisees, Suc	cessors or Assigns	
(d.1.1.1) Timmy Worley 1030 Street Road Kingston Springs, TN 97082	0.13 acres 1/216 of 28.00 acres	0,2207%
(d.1.1.2) Margaret Ann Worley Burns 108 Bexley Road Modfesville, NC 28117	0.13 acres 1/216 of 28.00 acres	0.2207%
(d.4.1.3) Tomray Worley 1161/335 Sport aris Holly Ridge, NC 28445	0.13' acres 1/216 of 28.00 acres	0.2207%
( e) Elizabeth Worley Heirs, Devisees, Succession	s or Assigns	
(e.1) Patricia Ann Thomas Address Unknown	0:06 scras 5/576 of 28:00 scras	0:0828%
(e.2) Cornie Thomas Address Uniconin	0.05 acres 1/576 of 28/00 acres	0.0826%
(e.3) Kemper Bausell PO Box 169 Grundy, VA 24814	0.05 acres 1476 of 28:00 acres	0.0828%
(e.4) Eizabeth Bausell Ryan 492 Blue Heron Point Suffolk, VA 23435	0.05 acres 1/576 of 28.00 acres	.0.0828%
(e.5) Jill Bauseil Norris 4245 Dayle Acres Rd. Suffolk, VA 23435	0,05 acres 1/576 of 28.00 acres	0.0828%
(e.8) Tommy Worley 1161/335 Spot Lane Holly Ridge, NC-28445	0.05 acres 1/576 of 28.00 acres	0.0828%
(e.7) Timmy Worley 1030 Street Road Kingston Springs; TN 37082	0.05 acres 1/578 of 28.00 acres	0.0828%
:(e.8) Margeret:Ann.Worley Burns. 108 Bexley Road Mogresville, NC 28117	0.05 acres 1/876 of 28.00 acres	0:0828%
Tract#3, 4.08 acres		
(1) Buckhom Coal Company, Tt.18 (250:00 Acre Warder #13 Tract) P. O. Box 187 Tazewell, VA 24651	4.08 agres	6.9459%
OIL & GAS OWNERSHIP		
Tract #1, 26.66 acres		100.0000%
(1) Buckhorn Ceal Corapany, Tr.19 (54 Acre Moses Miller Tred) P. O. Box 187 Tazewell, VA 24651	28.56 ;acres	45.3884%
	4245 Dayle Acres Rd. Suffolk, VA 23433  (d) Charles T. Worley & Ann Worley (d.1) Charles T. Worley & Ann Worley (d.1.1) Ann Worley Heirs, Devisees, Suc (d.1.1.1) Timmy Worley 1030 Street Road Kingston Springs. TN 37082  (d.1.1.2) Margaret Ann Worley Burns 108 Bexley Road Moofesville, NC 28117  (d.1.1.3) Tammy Worley 1161/335 Spot Larie Holly Ridge, NC 28445  (e) Elizabeth Worley Heirs, Devisees, Successor (e.1) Patricia Ann Thomas Address Unknown (e.2) Connie Thomas Address Unknown (e.3) Kemper Bausell PO Box 169 Grundy, VA 24614  (e.4) Eizabeth Bausell Ryan 492 Blue Heron Point Suffolk, VA 23435  (e.5) Jill Bausell Norts 4245 Dayle Acres Rd. Suffolk, VA 23435  (e.5) Tommy Worley 1161/336 Spot Larie Holly Ridge, NC 28445  (e.7) Timmy Worley 1030 Street Road Kingston Springs, TN 37082  (e.8) Margaret Ann, Worley Burns 108 Bexley Road Moofesvilla, NC 28117  Trect #3, 4.08 acres  (1) Buckhom Coal Company, Tr.18 (250.00 Apre Warder #13 Tract) P. O. Box 187 Tazewell, VA 24651  Off. & GAS OWNERSHIP Tract #1, 26.66 acres  (1) Buckhorn Coal Company, Tr.19 (b4 Acre Moses Miller Trect) P. O. Box 187 Tazewell, VA 24651  Off. & GAS OWNERSHIP Tract #1, 26.66 acres	(c.2.3) Jill Bausell Nomic 4245 Dayle Acres Rd. 5Unifek, VA 22433  (d) Charles T. Worley & Ann Worley Conveyed 1/2 of 1/38th interest. (d.1) Charles T. Worley Heirs, Devisees, Successors or Assigns  (d.1.1) Ann Worley Heirs, Devisees, Successors or Assigns  (d.1.1) Ann Worley Heirs, Devisees, Successors or Assigns  (d.1.1.1) Timmy Worley 0.13 acres 1/216 of 28.00 acres Kingston Springs. TN 37082  (d.1.1.2) Margaret Ann Worley Burns 1/216 of 28.00 acres Modresville, No 28117  (d.1.1.3) Tammy Worley 1.13 acres 1/216 of 28.00 acres Holly Ridge, No 28445  (a) Elizabeth Worley Heirs, Devisees, Successors or Assigns  (e.1) Patricia Ann Thomas 0.05 acres 1/576 of 28.00 acres Address Unknown 1/576 of 28.00 acres 1/576 of

#### Exhibit B Unit SH-114 VGOB# 15-0917-4020 List of all Owners/Claimants: (56,74 Acre Unit)

		Acres in Unit	Interest in Unit
ract #2, 28	1.00 acres		
• • • • • • • • • • • • • • • • • • • •	a F. Vandyka, ət al. 00 Acre Tracti	28,00 scres	47.8677%
(e) Robe	ari Vandyke Heirs, Devisees, Suc	cessors or Assigns	
(a.1)	Letha F. Vandyke	4.41 acres	7.5032%
	Box 864 Lebanon, VA 24266	17/108 of 28.00 acres	
(a.2)	Geneva Crabbëe	4.41 acres	T.5032%
	15500 Chantillÿ Way Abingdon, VA 24210	17/108 of 28.00 scres	
(a.3)	Mildred Jones	4.41 acres	7,5032%
	2263 Hays Street Fredericksburg, VA 22401	17/108 of 28.00 acres	
	Bobbis Quinn	4.41 acres	7.5032%
	5940 East River Road Tuscon, AZ 85715	17/408 of 28.00 acres	
	W.R. Vandyke	4.41 acres	7.5032%
	15500 Chantilly Way Abingdon, VA 24210	17/108 of 28.00 acres	
(8.6)	Mary Tharp	4.41 acres	7.5032%
	56 Wellington Colony Dt. Little Rock, AR 72211	17/106 of 26:00 acres	
(b) G.W. )	Worley Heirs, Devisees, Success	ors.or:Assigns	
(b:1)	Elizabeth Worley - Life Estate ex	tinguished at death	
(0.2)	W.8. Worley	Conveyed interest to Charles T. & Ani	n Woday (D6116/383)
(b 3)	Elia Green	Conveyed interest to Charles T. & Ani	n Worley (DB116/383)
(b.4)	Buell T. Worley	Conveyed interest to Charles T. & Ani	Worley (DB116/384)
(b.5)	Arch B. Worley	Conveyed interest to Charles T. & An	Worley (DB116/386)
(b.6)	Ciyde H. Worley	Conveyed interest to Charles T. & Ann	1. Worley (DB116/386)
Charle	s T. Worley & Ann Worley	Garweyed 1/2 of their 1/36 interest to	Elizabeth Worley
(c) K.R.T	homas Heirs, Devisees, Success	ors or Assigns	
(c.1) 1	Nancy Smith Thomas - Life Estate	e extinguished at death	
(c:2) P	Peggy Bausell Heirs, Devisees, S	uccessors or Assign's	
(c.2	2.1) Kemper Bausell PO Box 169	0.26 acres	0.4414%
	Grundy, VA 24614	1/108 of 28.80 acres	
	2) Efzebeth Bausell Ryan	0.26 acres	0.4414%
(c.2	402 Blue Heren Point	17108 of 28.00 acres	
(c.2	Suttolk, VA 23435		
***	Sutfolk, VA.23435	0.26 acres	0.4414%
***	Suttolk, VA 23435	0.26 acres 1/108 of 28,00 acres	0.4414%

(d.1.1) Ann Worley Heirs, Devisees, Successors or Assigns Page 3 of 4

#### Exhibit B Unit BH-114 VGOB#13-0917-4020 List of all Owners/Cislimants (58:74 Acre-Unit)

		Acres in Unit	Interest in: Unit
	(d.1.1.1) Timmy.Worley 1839 Street Road Kingston Springs, TN 37082	0.13 acres 1/216 of 28,00 apres	0.22074
	(d.1:1.2) Mergaret Ann Worley Burns 108 Bexley Road Mooresville, NC 28117	0.13 acres 17216 of 28.00 acres	0.2207%
	(d.1.1.3) Tommy Wodey #161/335.Spot Lane Holly Ridge, NG 28445	0.13 acres 1/216 of 28.00 acres	0.2207%
(e	) Elizabeth Worley Heirs, Devisees, Successors	or Ässigns	
	(ë.1) Patricia Ann Thomas Address Unknown	0.05 acres 1/576 of 28.00 acres	0.0 <b>828</b> %
	(6.2) Connib Thomas Address Vickriowa	0.05 acres 1/576 of 28.00 acres	0.0828%
	(e.3) Kemper Bauself PO Box 169 Grundy, VA 24614	0.05 acres 1/576 of 28.00 acres	0.0828%
	(e.4) Elizabeth Baueell Ryan 402 Blue Heron Point Suffolk, VA 23435	0.05 acres 1,576 of 28.00 acres	0.0828%
	(e.5) Jill Bausell Nortis 4245 Dayle Acres Rd. Suffolk, VA 23435	0.05 acres 1/576 of 28.00 acres	0.082 <del>8</del> %
	(e.6) Tornmy Worley 1161/335 Spot Lane Holly Ridge, NC 28445	0.05. acres 1/576. of 28.00 acres	4.0828%
	(e.7) Tiamy Worley 1030 Street Read Kingston Springs, TN 97082	0.05 acres 1#276 td 28:00 acres	0.0828%
	(6.5) Margaret Ann Werley Burns 108 Bextey Road Mooresville, NC 28117	0.05 acres 1/576 of 28:00 acres	0,9628%
Tract (	13. 4.08 scres		
	Buckhern Coel Company, Tr. 18 (258.80 Acre Werder #13 Trect) P. O. Box 167 Tazewell, VA 24651	4,08 acres	6.9459%

#### Exhibit: B/S: Unit BH-114 VGOB# 13-0917-4020 List of all Unleased Owners/Claimants (\$8.74 Acre Unit)

	Acres to Unit	Interest in Unit
COAL OWNERSHIP		
Tract #2, 28.00 acres		
(1) Leitha F. Vandyke, at al. (196.00 Acre Traci)	28:00 scres	47.6677%
(c) K.R. Thomas Heirs, Devisees, Succes	ssore or Assigns	
(s.1) Nancy Smith Thomas - Life Est	ate extinguished at death	
(c.2) Peggy Bausell Heirs, Devisees,	Successors or Assigna	
(c.2.2) Elizabeth Bausell Ryan 402 Blue Heron Point Sulfolk, VA 23435	0,26 acres 17108 of 28.00 acres	0.4414%
(c.2.3) Jill Bausell Norris 4246 Dayle Acres Rd. Süffolk, VA 23435	0.26 acres 1/198 of 28.00 acres	0.4414%
(d) Charles T. Worley & Ann Worley	Conveyed 1/2 of 1/36th in	larest to Elizabeth Worley
(d.1) Charles 1'. Worley Heirs, Devise	es, Successors or Assigns	
(d.1.1) Ann Worley Heirs, Devisee	s, Successors or Assigns	
(d.1.1.3) Tommy Wodey 1161/335 Spot Lane Holly Ridge, NC 28441		0,2207%
(a) Elizabeth Worley Heirs, Daviseus, Suc	cessors or Assigns	
(e.1) Patricia Ann Thomas Address Unlanown	0.05 acres 1/576 of 28.00 acres	0.0828%
(e.2) Connie Thomas Address Unknown	0.05 pcres 1/576 of 28.00 pcres	0.0828%
(e.4) Elizabeth Bausell Ryan 402 Blue Hêron Point Suffolk, VA 23435	0.05 acres 17576 of 28.00 acres	0.0828%
(e.5) Jill Bausell Norris 4245 Dayle Acres Rd. Suffolk, VA 23435	0.05 acres 1/576 of 28,00 acres	0.0828%
(e.6) Tommy Worky 1161/335 Spot Lane Holly Ridge, NC 28445	0.05 acres 1/678 of 28.00 acres	0,0828%
	TOTAL UNI	EASED:
	Acreage in Unit 0.89 Percentage of Unit	1.5172%

#### Exhibit B-3 Unit BH-114 VGOB# 13-0917-4020 List of all Unleased Owners/Claimants (58.74 Acre Unit)

## BECK U772 PAGE 0316

				. Ac	res la Unit	Interest in Unit
Ħ.	OIL &	GAS OW	NERSHIP			
	Tract #2	. 28,00 a	cres			
			andyke, et al. ere Trest)	28.04	D acres	47.6677%
	(c) K	R. Thor	as Heirs, Devisees, Suc	cessors or Assigns		
			cy Smlth Thomas - Life i		≆a <b>t</b> h	
			y Bausell Heirs, Devised			
		(4.2.2)	Elizabeth Bausell Ryan 402 Blue Heron Point		acres	0.4414%
			Suffolk, VA 23435	1/,198	of 28.00 acres	
		(c 2 3)	Jill Bausell Norris			
		(4.4.0)	4245 Dayle Acres Rd.		acres of 28.00 acres	0.4414%
			Suffolk, VA 23435	17100	UI ZO.UG BCNES	
	(d) Ch	arles T. 9	Worley & Ann Worley	Conveyed	1/2 of 1/36th interes	of to Elizabeth Worley
	(d:1) Charles T: Worley Hairs, Devisees, Successors of Assigns					
	.1	(d.1.1)	Ann Worley Heirs, Davis	ees, Successors or Ass	gris	
		(d.1.1	.3) Tommy Worley	Ř 12	acres	A district
			1161/335 Spot Lan		of 28.00 acres	0.2207%
			Holly Ridge, NC 284	145	orrinande adres	
	( e) Eñza	(e) Efizabeth Worley Heirs; Devisees, Successors of Assigns				
	(6.1	) Patricia	Ann Thomas	0.05	errac	0.00000
			s Unknown		of 28.00 acres	0.0828%
					<del>-</del>	
	(8.2)		Thomas	0.05 a		0.0828%
		Maane:	s Unknown	1/576 c	f 28.00 acres	
	(e.4)	Elizabe	th Bausell Ryan	O'DE a		4
	3-1,19		re Heron Point	0.05 a	cres ↑28.00,acres	0.0828%
		Suffolk	VA 23435	7/314-0	ESCUE, UC. CL.	
	(e.5)	JIII Bau	sell Norris	0.05∵a	nnee	0.000044
		4245 D	ayle Acres Rd.		f 28.00 acres	0.0828%
		Suffolk,	VA 23435		22.40 00.00	
	(6.6)	Tommy		0.05 ac	cres.	0.0828%
			15 Spot Lane	1/576 of	28.08 ecres	9.17020 /8
		Holly Ri	dge, NC 28445		<del> </del>	
					TOTAL UNLEAS	<u> </u>
				Acreage in Unit	0.89	
				Percentage of Unit	-,- <del></del>	1.5172%

# Exhibit E Unit BH-114 VGOB# 13-0917-4020 List of all Conflicting Owners/Claimants requiring Escrow (58.74 Acre Unit)

	Acres in Unit	interest in Unit
act #2, 28.00 acres		
Escrow due to Unknown/Uniocatable		
COAL OWNERSHIP		
(1) Letha F. Vandyka, at al. (199.00 Acre Trect)	28.00 acres	47.8677%
(e) Elizabeth Worley Heirs, Devisees,	Successors or Assigns	
(e.1) Patricia Ann Thomas Address Uriknown	0.05.acres 1/576 of 28.00 acr	0.0828% es
(e.2) Connie Thomas  Address Unknown	0.05 acres 1/576 df 28.00 acre	0.0828% ss
OIL & GAS OWNERSHIP		
(1) Letha F. Vandyke, et al. (199.00 Acre Tract)	28.00 agres	47.6677%
(e) Elizabeth Worley Heirs, Devisees, S	üccessors or Assigns	
(e.1) Patricia Ann Thomas Address Unknovin	0.05 agres 1/576 of 28.00 agre	0.0828% s
(e.2) Connie Thomas Address Unknown	0.05 acres 1/576 of 28.00 acres	0:0828% s
	TOTAL CONF	LICTS:
	Acreage in Unit 0,3 Percentage of Unit	Q .Q.1655%

1400219

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT OF RUSSELL CO presented in said office, and upon the certificate of acknowledgment thereto anni payment of \$	OUNTY,
Original returned this date to: Sarah Gilver	TESTE: ANN S, MCREYNOLDS, CLERK BY: JUMPE Audicho, CLERK